



City of El Paso – City Plan Commission Staff Report

Case No: PZRZ14-00009
Application Type: Rezoning
CPC Hearing Date: March 13, 2014
Staff Planner: Michael McElroy, (915) 212-1612, mcelroyms@elpasotexas.gov
Location: 401 & 405 E. River
Legal Description: Westerly half of Block 31, Lots 17-20, and portion of lot 16, of Alexander Addition, An Addition to the City of El Paso, El Paso County, Texas
Acreage: 0.3417 acres
Rep District: 8
Current Zoning: A-2 (Apartment)
Existing Use: Duplex & Single Family Home
C/SC/SP/ZBA/LNC: No
Request: A-2 (Apartment) to GMU (General Mixed-Use)
Proposed Use: Apartments / Retail
Property Owners: Eduardo & Josephina Soto
Representative: Eugenio Mesta

SURROUNDING ZONING AND LAND USE

North: A-2 (Apartments) / Apartments
South: A-2 (Apartments) / Single Family Homes
East: A-2 (Apartments) / Single Family Homes
West: A-2 (Apartments) / Single Family Homes

PLAN EL PASO DESIGNATION: G-2 Traditional Neighborhood (Walkable) (Central Planning Area)

NEAREST PARK: Dunn Park (1,567 feet)

NEAREST SCHOOL: El Paso High School (2,211 feet)

NEIGHBORHOOD ASSOCIATIONS

El Paso Central Business Association

NEIGHBORHOOD INPUT

Notice of a Public Hearing was mailed to all property owners within 300 feet of the subject property on February 20, 2014. The Planning Division has not received any phone calls or letters in support or opposition to the rezoning request.

APPLICATION DESCRIPTION

The applicant is requesting to rezone the subject property from A-2 (Apartment) to GMU (General Mixed-Use). This proposed development will replace two existing duplexes and a single family home with three modern three-story buildings that will house 1,066 square feet of retail space and 5,043 square feet of common open space. Twelve apartment units inclusive of 2 three-bedroom and 10 two-bedroom units of varying square footage are further proposed. The mix of uses proposed is detailed in the Master Zoning Plan (MZIP) Report (attachment 4). Setbacks are proposed at the zero-foot lot line except along the northerly property line, where vehicle ingress/egress and landscaping are proposed.

Driveway access is proposed on all four sides of the property. Pedestrian access will also exist from Kansas and River Streets. Retail frontage is proposed along Kansas and River Streets. Utilities, services and trash collection will be provided through the alley.

Twenty-two parking spaces are proposed at the ground floor within the internal garages. A 20% parking

reduction is requested for both the retail and residential uses (for a reduction of six spaces total). A parking study shows the existence of 79 available on-street parking spaces within 300' of the property. The study shows a maximum of 63 and a minimum of 39 unoccupied spaces during a 12 hour period between 8 AM and 8 PM. Three of these spaces exist immediately adjacent to the property (see attachment 5).

As the property is less than the required 3 acres for a GMU district, City Council will be required to approve a reduction in minimum district area as part of the rezoning request.

ANALYSIS

20.10.360(G)

Residential, General and Industrial Mixed Use Districts (RMU, GMU and IMU). Uses permitted in a mixed-use development are as approved by city council through a master zoning plan. A mixed-use development may be authorized to encourage use schemes such as but not limited to, residential, entertainment, medical, and employment centers. The following principles and requirements shall apply to a mixed-use development and shall serve as the basis for approval of a master zoning plan.

1. General Design Principles. These design principles shall serve as guidelines only, and compliance with any guideline within a mixed-use development shall be determined on a case by case basis as part of the master zoning plan and mixed use development plan approval. It is not intended that every mixed-use development conform to all or any set number of the enumerated design guidelines.
 - a. Development Perspective.
 - i. That the natural infrastructure and visual character of the development area be retained as derived from existing topography, riparian corridors and other environmentally sensitive areas.
 - ii. That the development strategy utilized encourages infill and redevelopment in parity with new and existing neighborhoods.
 - iii. That proposed development contiguous to urban areas be organized as town centers and neighborhoods, and be integrated with the existing urban pattern.
 - iv. That proposed development noncontiguous to urban areas be organized in the pattern of an isolated community consisting of a complete town center serving the neighborhood(s).
 - v. That a mixture of housing types and densities be distributed throughout the mixed-use development.
 - vi. That transportation corridors be planned and reserved in coordination with land use patterns.
 - vii. That natural or man-made green corridors and open space areas be used to define and connect neighborhoods to other facilities within the development, and that these areas allow for connectivity outside of the development where feasible.
 - viii. That the development include a framework of transit, pedestrian and bicycle systems that provide alternatives to the automobile.
 - ix. That neighborhoods with town centers be the preferred pattern of development and that developments specializing in single use be discouraged.
 - x. That neighborhoods be compact, pedestrian-friendly, and mixed use.
 - xi. That ordinary activity of daily living occurs within walking distance of most dwellings.
 - xii. That interconnected networks of streets be designed to disperse and reduce the length of vehicle trips.
 - xiii. That within neighborhoods, a range of housing types and price levels be provided to accommodate people of diverse ages and incomes.
 - xiv. That appropriate building densities and land use be provided within walking distance of transit stops.
 - xv. That civic, institutional and commercial activity be embedded, and not isolated, in the development.
 - xvi. That a range of open space including parks, squares, and playgrounds be distributed within the development.

- xvii. That a development have sufficient size to accommodate the mixed-use concentration of uses.
- b. Building Perspective.
 - i. That buildings and landscaping contribute to the physical definition of streets as civic places.
 - ii. That the design of streets and buildings reinforce safe environments.
 - iii. That architecture and landscape design grow from local climate, topography, history and building practice.
 - iv. That public gathering spaces be provided in locations that reinforce community identity.
 - v. That the preservation and renewal of historic buildings be facilitated.
 - vi. That principal buildings and facades, where possible, be located parallel to the frontage line to encourage a community-friendly environment.

The applicant complies 20.10.360(G)(1)

- 2. General Design Elements. A mixed-use development is characterized by any combination of the design elements described below. These design elements shall serve as guidelines only, and compliance with any design element within a mixed-use development shall be determined on a case-by-case basis as part of the master zoning plan and mixed-use development plan approval. It is not intended that every mixed-use development conform to all or any set number of the enumerated design elements.
 - a. Neighborhoods limited in size and oriented toward pedestrian activity.
 - b. A variety of housing types, jobs, shopping, services, and public facilities.
 - c. Residences, shops, workplaces, and other buildings interwoven within the neighborhood, all within close proximity.
 - d. A network of interconnecting streets and blocks that maintain respect for the natural landscape.
 - e. Natural features and undisturbed areas that are incorporated into the open space of the neighborhood.
 - f. A coordinated transportation system with a hierarchy of appropriately designed facilities for pedestrians, bicycles, public transit and automotive vehicles.
 - g. Well-configured squares, plazas, greens, landscaped streets, preserves, greenbelts, or parks dedicated to the collective social activity, recreation, and visual enjoyment of the neighborhood.
 - h. Buildings, spaces, and other features that act as landmarks, symbols, and focal points for community identity.
 - i. Compatibility of buildings and other improvements as determined by their arrangement, bulk, form, character and landscaping to establish a livable and harmonious environment.
 - j. Classification of uses deploying a range from rural-to-urban to arrange in useful order the typical context groupings of natural and urban areas to ensure compatibility of land uses.

The applicant complies 20.10.360(G)(2)

- 3. Architectural Objectives. As part of the review of the mixed-use development plan the architectural design shall achieve the following objectives:
 - a. Architectural compatibility;
 - b. Human scale design;
 - c. Integration of uses;
 - d. Encouragement of pedestrian activity;
 - e. Buildings that relate to and are oriented toward the street and surrounding buildings;
 - f. Residential scale buildings in any mixed residential area;
 - g. Buildings that contain special architectural features to signify entrances to the mixed-use development; and
 - h. Buildings that focus activity on a neighborhood open space, square or plaza.

The applicant complies 20.10.360(G)(3)

4. Roadway Design. The roadway designs, whether public or private, used within a mixed-use development may vary depending on the proposed function of the roadway, the anticipated land uses, and the anticipated traffic load. A variety of designs to lend character to the neighborhood are encouraged. The requirements of Title 19 (Subdivisions) of this Code shall apply in all instances.

20.10.360(G)(4) is not applicable to the proposed development.

5. Parking. The off-street parking requirements in Chapter 20.14 (Off-Street Parking and Loading Requirements) of this title shall apply for purposes of calculating required spaces. Community-parking facilities or shared parking shall be encouraged in lieu of traditional off-street parking design. This concept would permit the collocation of required parking for individual uses in order to promote pedestrian activity within the neighborhood. In instances where shared parking is proposed, a shared parking study shall be reviewed by the city along with any traffic engineering and planning data that are appropriate to the establishment of parking requirements for the uses proposed. A shared parking study shall include, but not be limited to, estimates of parking requirements based on recommendations in studies such as those from the Urban Land Institute, the Institute of Traffic Engineers, or the Traffic Institute, and based on data collected from uses or combinations of uses that are the same or comparable to the proposed uses. The shared parking analysis shall be based on the mixture of uses and corresponding peak demand for all uses. The study shall document the source of data used to develop recommendations.

A 20% parking reduction is requested. Current on-street parking is sufficient to accommodate the parking reduction request (see parking study, attachment 5).

6. Setbacks. Properties within a mixed-use development shall be allowed zero setbacks for all uses, unless otherwise required by the city council as part of the review of the master zoning plan.

The applicant complies 20.10.360(G)(6)

7. Landscaping. Uses within a mixed-use development shall not be required to conform to the landscaping requirements of Title 18 (Building and Construction) of the El Paso City Code. Landscaping, streetscape, and other green areas proposed within the mixed-use development shall be shown and considered as part of the master zoning plan and mixed-use development plan approval process.

The applicant complies 20.10.360(G)(7).

PLANNING DIVISION RECOMMENDATION

The Planning Division recommends **approval** of rezoning the subject property from A-2 (Apartment) to GMU (General Mixed-Use) and acceptance of the Master Zoning Plan. The approval recommendation is based on the compatibility with existing commercial and apartment zoning in the area and the Future Land Use Map.

Plan El Paso- Future Land Use Map Designation

All applications for rezoning shall demonstrate compliance with the following criteria:

G-2 – Traditional Neighborhood (Walkable): This sector includes the remainder of central El Paso as it existed through World War II. Blocks are small and usually have rear alleys; buildings directly faced streets; schools, parks, and small shops are integrated with residential areas. This sector is well-suited for use of the SmartCode as a replacement for current zoning when planned in conjunction with specific neighborhood plans or identified in this Comprehensive Plan.

The purpose of the GMU (General Mixed-Use) district is to provide large-scale developments that are able to function as individual neighborhoods, as small-scale developments requiring flexibility because of unique design characteristics, or as transitional areas between dissimilar land uses.

COMMENTS:

Planning Division - Transportation

Recommend approval.

Note: All existing and/or proposed paths of travel (accessible sidewalks, wheelchair access curb ramps and driveways) located within public rights-of-way shall follow the City of El Paso Design Standards for Construction and be ADA/TAS compliant.

City Development Department – Plan Review

Recommend approval. BP & I: The project will be required to comply with all applicable municipal code and 2009 building code. Landscape Review: No landscape calculations provided. Project will be required to meet all applicable landscape requirements at the time of permit submittal.

City Development Department - Land Development

No objections.

Fire Department

Recommendation: APPROVAL

Through coordination with the Fire Marshal, please note the following per the requirements of the IFC, Sections 903.3.1 through 903.3.7, 903.4, D105.1

1. Automatic sprinkler systems shall be designed and installed in accordance with Sections 903.3.1 through 903.3.7. This due to the buildings or portions of buildings or facilities exceeding 30 feet (9144 mm) in height above the lowest level of fire department vehicle access shall be provided with approved fire apparatus access roads capable of accommodating fire department aerial apparatus.
2. All valves controlling the water supply for automatic sprinkler systems, pumps, tanks, water levels and temperatures, critical air pressures, and water-flow switches on all sprinkler systems shall be electrically supervised. All sprinkler/alarm systems shall be hard wired and monitored.
3. IFC section, D105.1: Where required. one of the required access routes meeting this condition that shall be located within a minimum of 15 feet (4572 mm) and a maximum of 30 feet (9144 mm) from the building, and shall be positioned parallel to one entire side of the building.
4. The requirement for the installation of Class III standpipe systems (IFC section, 905.3.1 Building height). shall be installed throughout buildings where the floor level of the highest story is located more than 30 feet (9144 mm) above the lowest level of the fire department vehicle access, or where the floor level of the lowest story is located more than 30 feet (9144 mm) below the highest level of fire department vehicle access in buildings where more than one Class III standpipe is provided, the standpipes shall be interconnected at the bottom.

(The Class III standpipe locations shall be coordinated through the Fire Department Fire Plan Review Division.)

El Paso Water Utilities

We have reviewed the rezoning referenced above and provide the following comments:

1. EPWU does not object to this request.

EPWU-PSB Comments

Water:

1. There is an existing 6-inch diameter water main that extends along River St. located approximately 14.5 feet west of the street centerline. This main is available for service.
2. There is an existing 6-inch diameter water main that extends along Kansas St. located approximately 15 feet east of the street centerline. This main is available for service.
3. EPWU records indicate four (4) -3/4-inch active water meters serving 401 E. River St. and one (1) - 3/4-inch vacant water meter serving 405 E. River St

Sewer:

1. There is an existing 8-inch diameter sanitary sewer main along the alley between Campbell St. and Kansas St. located along the centerline of the alley. This main is available for service.
2. There is an existing 8-inch diameters sanitary sewer main located approximately 12 feet east of street centerline. This main is available for service.

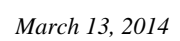
General:

1. EPWU requires a new service application to serve the subject property. New service applications are available at 1154 Hawkins, 3rd Floor. The following items are required at the time of application: (1) hard copy of subdivision plat with street names and addresses; (2) finalized set of street improvement plans, including storm sewer; (3) digital copy of subdivision plat; (4) benchmark check; and (5) construction schedule. Service will be provided in accordance with the current EPWU – PSB Rules and Regulations. The owner is responsible for the costs of any necessary on-site and off-site extensions, relocations or adjustments of water and sanitary sewer lines and appurtenances.

Attachments:

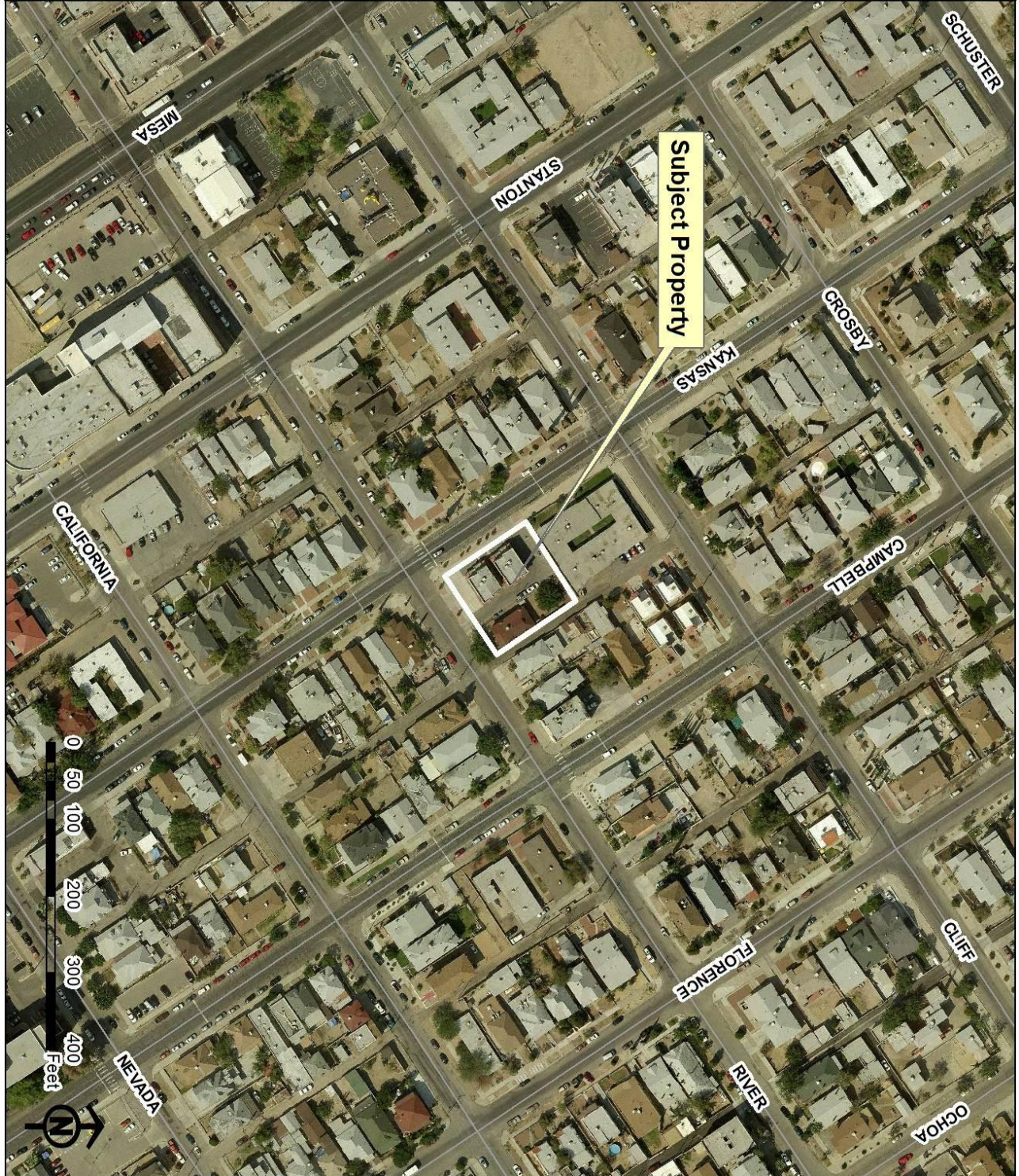
- Attachment 1: Zoning Map
- Attachment 2: Aerial Map
- Attachment 3: Master Zoning Plan (MZP)
- Attachment 4: Master Zoning Plan (MZP) Report
- Attachment 5: Parking Study

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ATTACHMENT 2: AERIAL MAP

PZRZ14-00009



The site plan shows a rectangular lot bounded by N. Kier Street to the north, E. River Ave. to the east, and a driveway to the west. The lot is divided into three main building areas: Building 1 (top right), Building 2 (top left), and Building 3 (bottom). The buildings are outlined in pink. The plan includes sidewalks, driveways, and landscaping areas. A gate is located on the east side of the site. The building footprint is outlined in pink.

45.00' AFT

45.02' ALT.

33.00' ALT.

Architectural drawing of a house with the following dimensions:

- Overall width: 45.00' AFT
- Overall depth: 22.00' AFT
- Front porch depth: 13.00' AFT
- Back porch depth: 13.00' AFT
- Side porch depth: 0.00' AFT

1. Legal Description: Massing Hill or Block 31, Lots 17-20
in a subdivision of 100 Acres of Alexander Road
in City of Fresno, Fresno County,
State of California. (Indicate a reference to a plat or instrument.)

2. State and use of the following:
ITEMS MADE USE OF OR SUBJECT TO THIS
2. "BOOK" W-47111-100, (Describe item)
(Use Item) Sec. 7, (Indicate book)
1. 1/2009
2. 1/145
3. 1450
4. 1460
5. 1465
6. 1470
7. 1475

3. List items with dimensions of those
17' x 136' 10" and sec. 11.
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ATTACHMENT 4: MASTER ZONING PLAN (MZIP) REPORT

Master Zoning Plan for a General Mixed Use District Kansas and River Courtyard Living

I. Purpose and Intent:

The purpose of this project and new Master Zoning Plan is to strengthen the existing neighboring community where there is an existing mixture of uses including general retail, restaurants, schools, churches, and apartments, single family attached units, walk-ups, duplexes and row housing. Being located close to the Medical Center, UTEP and the Cincinnati District is also a plus. This new district will enhance the neighborhood, promote walkable communities and the City of El Paso Comprehensive Plan and Smart Growth Objectives and initiatives throughout the City.

These Objectives will be followed with these outlined initiatives:

- Accommodate an innovative designed project that promotes multifamily housing and retail uses in Central El Paso;
- Provide a complex that promotes compatible uses, retail and multifamily housing, to have a relationship with the existing neighborhood promoting Public Transportation and pedestrian linkages with the rest of Downtown, the Medical Center, Mid-Town and the Cincinnati District;
- Continue with the redevelopment patterns that the City of El Paso is promoting in Downtown;
- Demonstrate that these trends are economically and socially feasible in Mid-Town El Paso..

II. Objective:

This District will accommodate an innovative Multifamily Living with a combination with retail and interior open spaces, while providing individual parking.

III. Characteristics:

Description: This District will replace two existing duplexes and a single family home, with a modern Building that will house 1,066 square feet of retail spaces, 5,043 square feet of common open space and 12 Apartment units inclusive of 2- three bedroom, 10 two bedroom on three-three story buildings. A more detailed description of the design elements are as follows:

Access: This building complex will have retail access along Kansas and River Streets. Each individual unit will be three story with its own parking garage on the ground floor except one unit which will have parking on a parking lot on the north side. Access the parking garages will be from the alley, a parking area to the north, Kansas and River streets.

There will pedestrian access through the Kansas and River Streets. Utilities, services and trash collection will be provided through the adjoining Alley.

Setbacks: The building will be built with zero setback along Kansas, River Streets and the adjoining alley. This will provide a closer relationship with the neighborhood promoting pedestrian life.

Density: The District Density will be 35 Units to the Acre as it will have 12 apartment units on .34 Acres. This is also compatible with some of the structures built around the neighborhood.

Landscaping: Landscaping will be provided in the interior courtyard.

ATTACHMENT 4: MASTER ZONING PLAN (MZIP) REPORT

Parking: There will be 22 Parking spaces provided in the ground floor, mostly into each unit parking garage. A 6 parking reduction is requested for the retail area and one unit. However there is plenty of on-street parking available immediately adjacent to the property along Kansas and River Streets.

Sub Districts: There will be no Sub Districts in the Plan.

Phasing: The project will be built in one phase in its entirety.

Floor Area Ratio: The total construction area for this project is 24,062 S.F. for a total Floor Area Ratio of 1.65

Special Privilege: The applicant will be submitting a special-privilege request for the retail awnings to the City prior to submitting for building permit.

IV. Relationship with Plan El Paso:

This District will enhance the neighborhood's economic and social vitality and will follow the overall City of El Paso's Goals to revitalize Downtown and promote higher densities and mixed uses as per the Smart Growth initiatives.

The existing surroundings has a tight walkable community with schools, churches and retail within walking distance. This District will strengthen it by providing a modern and additional retail space that will enhance the neighborhood.

ATTACHMENT 4: MASTER ZONING PLAN (MZIP) REPORT

Kansas and River Courtyard Apartments Mixed Use Table					
Use	Minimum Area	Set backs			Maximum Building Height
		Front	Back	Side	
Commercial Uses					
Art Gallery	400 S.F.	0 Ft.	0 Ft.	0 Ft.	15 Ft.
Courier & Message Center	400 S.F.	0 Ft.	0 Ft.	0 Ft.	15 Ft.
Office, medical	400 S.F.	0 Ft.	0 Ft.		15 Ft.
Office, professional	400 S.F.	0 Ft.	0 Ft.	0 Ft.	15 Ft.
School, Arts and Crafts	400 S.F.	0 Ft.	0 Ft.	0 Ft.	15 Ft.
Studio, Dance and Music	400 S.F.	0 Ft.	0 Ft.	0 Ft.	15 Ft.
Studio, Photography	400 S.F.	0 Ft.	0 Ft.	0 Ft.	15 Ft.
Clinic	400 S.F.	0 Ft.	0 Ft.	0 Ft.	15 Ft.
Drug Store	400 S.F.	0 Ft.	0 Ft.	0 Ft.	15 Ft.
Pharmacy	400 S.F.	0 Ft.	0 Ft.	0 Ft.	15 Ft.
Barber Shop	400 S.F.	0 Ft.	0 Ft.	0 Ft.	15 Ft.
Beauty Salon	400 S.F.	0 Ft.	0 Ft.	0 Ft.	15 Ft.
Dry-Cleaners	400 S.F.	0 Ft.	0 Ft.	0 Ft.	15 Ft.
Laundromat, laundry	400 S.F.	0 Ft.	0 Ft.	0 Ft.	15 Ft.
Locksmith	400 S.F.	0 Ft.	0 Ft.	0 Ft.	15 Ft.
Shoe repair	400 S.F.	0 Ft.	0 Ft.	0 Ft.	15 Ft.
Household goods repair	400 S.F.	0 Ft.	0 Ft.	0 Ft.	15 Ft.
Bakery	400 S.F.	0 Ft.	0 Ft.	0 Ft.	15 Ft.
Book Store	400 S.F.	0 Ft.	0 Ft.	0 Ft.	15 Ft.
Boutique	400 S.F.	0 Ft.	0 Ft.	0 Ft.	15 Ft.
Cafeteria	400 S.F.	0 Ft.	0 Ft.	0 Ft.	15 Ft.
Coin-operated Vending machines (indoor)	400 S.F.	0 Ft.	0 Ft.	0 Ft.	15 Ft.
Convenience Store	400 S.F.	0 Ft.	0 Ft.	0 Ft.	15 Ft.
Flower shop	400 S.F.	0 Ft.	0 Ft.	0 Ft.	15 Ft.
Hobby Store	400 S.F.	0 Ft.	0 Ft.	0 Ft.	15 Ft.
Music Store	400 S.F.	0 Ft.	0 Ft.	0 Ft.	15 Ft.
Other retail establishment (low volume)	400 S.F.	0 Ft.	0 Ft.	0 Ft.	15 Ft.
Pet Shop	400 S.F.	0 Ft.	0 Ft.	0 Ft.	15 Ft.
Print and Copy Shop	400 S.F.	0 Ft.	0 Ft.	0 Ft.	15 Ft.
Produce stand	400 S.F.	0 Ft.	0 Ft.	0 Ft.	15 Ft.
Restaurant (sit down)	400 S.F.	0 Ft.	0 Ft.	0 Ft.	15 Ft.
Shopping center, community	400 S.F.	0 Ft.	0 Ft.	0 Ft.	15 Ft.
Specialty Shop	400 S.F.	0 Ft.	0 Ft.	0 Ft.	15 Ft.
Residential Uses					
Apartments (5 or more units)	450 S.F.	0 Ft.	0 Ft.	0 Ft.	56 Ft.

ATTACHMENT 5: PARKING STUDY



1 PARKING COUNT STUDY

Hours and Days Apartment	River Street	Total Street Parking Spaces		Kanas Ave.	Total Street Parking Spaces	
		Occupied	Unoccupied		Occupied	Unoccupied
8:00 AM	22	35	13	18	44	26
9:00 PM	23	35	12	14	44	30
10:00 PM	22	35	13	12	44	32
11:00 PM	22	35	13	12	44	32
12:00 PM	21	35	14	14	44	30
1:00 PM	22	35	13	14	44	30
2:00 PM	17	35	18	12	44	32
3:00 PM	12	35	23	10	44	34
4:00 PM	10	35	25	6	44	38
5:00 PM	9	35	26	8	44	36
6:00 PM	8	35	27	12	44	32
7:00 PM	7	35	28	11	44	33
8:00 PM	7	35	28	10	44	34

ATTACHMENT 5: PARKING STUDY (CONTINUED)

Kansas and River Apartments	River Street	35		Kansas Ave.	44	
	Occupied	Total Street Parking Spaces	Unoccupied	Occupied	Total Street Parking Spaces	Unoccupied
8:00 AM	22	35	13	18	44	26
9:00 PM	23	35	12	14	44	30
10:00 PM	22	35	13	12	44	32
11:00 PM	22	35	13	12	44	32
12:00 PM	21	35	14	14	44	30
1:00 PM	22	35	13	14	44	30
2:00 PM	17	35	18	12	44	32
3:00 PM	12	35	23	10	44	34
4:00 PM	10	35	25	6	44	38
5:00 PM	9	35	26	8	44	36
6:00 PM	8	35	27	12	44	32
7:00 PM	7	35	28	11	44	33
8:00 PM	7	35	28	10	44	34